



CITY OF VALLEJO

ANTHONY J. INTINTOLI, JR.
MAYOR

555 SANTA CLARA STREET • P.O. BOX 3068 • VALLEJO • CALIFORNIA • 94590-5934 • (707) 648-4377

March 16, 2005

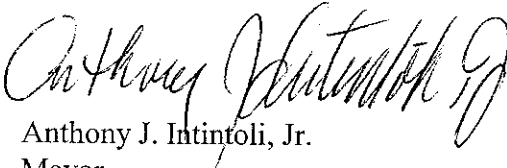
The Honorable Peter B. Foor
Presiding Judge of the Superior Court
Solano Superior Court
600 Union Avenue
Fairfield, California 94533

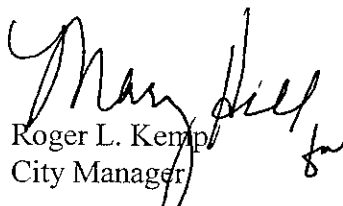
Dear Judge Foor:

Enclosed is the City of Vallejo's response to the Solano County 2004-2005 Grand Jury Report. The response was approved by the City Council at their regularly-scheduled meeting of March 15, 2005.

We are very pleased with the Grand Jury's recognition of the City of Vallejo Police Department's towing policy and contract.

Sincerely,


Anthony J. Intintoli, Jr.
Mayor


Roger L. Kemp
City Manager

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Enclosure

cc: Mayor & Council
Fred Soley, City Attorney

RECEIVED
MAR 22 2005

SUPERIOR COURT, DEPT. 17
PETER B. FOOR

SOLANO COUNTY GRAND JURY REPORT
Solano County Towing Policies: "To Tow or Not to Tow"

CITY OF VALLEJO RESPONSE TO FINDINGS

March 4, 2005

Issue #8:	Vallejo Police Department's Towing Policy and Contract.
Finding #8:	The City of Vallejo Police Department Towing Policy and Towing Contract are comprehensive documents that assure the public is protected from excessive towing fees and storage fees.
Recommendation #8:	None
City's Response:	The City agrees with the finding.
Issue #10:	Grand Jury recommendation for all agencies regarding hearing officers for disputed towing and storage charges.
Finding #10:	Without exception, hearings on disputed towing and storage charges are conducted by members of the staff of the various Solano County law enforcement departments.
Recommendation #10:	The hearing officer or examiner in parking enforcement "shall not be employed, managed or controlled by a person whose primary duties are parking enforcement, parking citation, processing, collection, or issuance. The examiner shall be separate and independent from the citation collection or processing function." In the spirit of this law, the Grand Jury recommends all agencies appoint independent hearing officers to rule on towing and storage disputes following the excellent model for parking enforcement.
City's Response:	Current tow hearing procedures comply with all pertinent laws and regulations and effectively serve the needs of the City and those persons involved in tow disputes. The vehicle code permits a hearing officer to be any person so long as that person did not direct the storage of vehicles. Vallejo's tow hearings are conducted by a Police Department hearing officer who has no involvement in towing or storage of vehicles. Since all vehicle towing and storage activities are performed by private contractors at the request of field officers, the hearing officer is not someone whose "primary duties" involve towing decisions or related removal and storage charges.

RESOLUTION NO. 05-79 N.C.

BE IT RESOLVED by the Council of the City of Vallejo as follows:

WHEREAS, the Solano County Grand Jury has issued a report for 2004-2005 entitled: *Solano County Towing Policies "To Tow or Not To Tow"*, and

WHEREAS, the Solano County Grand Jury has presented findings and recommendations in its report which relate to the operation of the City of Vallejo; and

WHEREAS, under the Penal Code, the City of Vallejo is obligated to respond to the findings and recommendations of the Grand Jury within 90 days; and

WHEREAS, a proposed response to the findings and recommendations of the Solano County Grand Jury has been developed (Attachment A).

NOW, THEREFORE, BE IT RESOLVED, that the Vallejo City Council hereby approves the response to the 2004-2005 Solano County Grand Jury report entitled: *Solano County Towing Policies "To Tow or Not To Tow"*, for transmittal to the Presiding Judge Peter B. Foor with copies of the response on file with the Vallejo City Clerk and the Solano County Clerk.

ADOPTED by the Council of the City of Vallejo at a regular meeting held on March 15, 2005 with the following vote:

AYES: Mayor Intintoli, Vice Mayor Schivley, Councilmembers Cloutier, Pearsall, and Pitts
NOES: None
ABSENT: Councilmembers Davis and Rey (excused)
ABSTENTIONS: None

//s//

ANTHONY J. INTINTOLI, JR., Mayor

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE
ORIGINAL ON FILE IN THIS OFFICE

//s//

ALLISON VILLARANTE, City Clerk

DATE 3-17-05
ATTEST: [Signature] (FOR)
ALLISON VILLARANTE
CITY CLERK & EX-OFFICIO CLERK OF THE
COUNCIL OF THE CITY OF VALLEJO

March 15, 2005

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